

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 BERNADEAN RITTMANN, *et al.*,

11 v.
12 Plaintiffs,

13 AMAZON.COM, Inc., *et al.*,

14 Defendants.

CASE NO. C16-1554-JCC

MINUTE ORDER

15 The following Minute Order is made by direction of the Court, the Honorable John C.
16 Coughenour, United States District Judge:

17 This matter comes before the Court *sua sponte*. In March 2017, the Court stayed this
18 action pending the resolution of *Epic Systems Corp. v. Lewis*, 138 S. Ct. 1612 (2018) and *Van*
19 *Dusen v. Swift Transportation Co.*, No. 17-15102 (9th Cir. Jan. 20, 2017). (Dkt. No. 77.)
20 Pursuant to the parties' stipulation, the Court partially lifted the stay in January 2019 for the
21 limited purpose of resolving Defendants' motion to compel arbitration (Dkt. No. 101.) The Court
22 directed that, after resolution of the motion to compel, either party could make an application to
23 the Court to lift the stay in full. (*Id.* at 2.) After the Court denied the motion to compel
24 arbitration, Defendants appealed the ruling and the Court extended the stay pending the
25 interlocutory appeal. (Dkt. Nos. 115, 115, 133.) Several months later, two related cases were
26 transferred to this District under the first-to-file rule. *See Ponce v. Amazon*, Case No. C19-1718-

1 JCC, Dkt. Nos. 74, 75 (W.D. Wash. 2019); *Keller v. Amazon*, Case No. C19-1719-JCC, Dkt.
2 Nos. 84, 85 (W.D. Wash. 2019).

3 The Ninth Circuit Court of Appeals has now entered its mandate and affirmed the Court's
4 ruling. (Dkt. Nos. 156, 158, 159.) Therefore, the Court DIRECTS the parties to file a joint status
5 report within 21 days of the date of this order under Local Civil Rule 16 informing the Court of
6 the most expeditious way to proceed to resolution of this action. The joint status report must
7 include the parties' positions on whether the stay should be lifted and whether *Ponce* and *Keller*
8 should be consolidated with this action.

9 DATED this 10th day of December 2020.

10 William M. McCool
11 Clerk of Court

12 s/Paula McNabb
13 Deputy Clerk